

**TOWN COUNCIL WORK SESSION
&
ANNEXATION HEARING**

Monday, October 7, 2019
7:30 pm
Municipal Building

Agenda

- I. Call to Order
- II. Roll Call
- III. Moment of Silence
- IV. Pledge of Allegiance
- V. Approval of Agenda
- VI. Consent Agenda
 - i. Meeting Minutes (September 25, 2019)
- VII. Annexation Hearing – MD 210 to DC Line: Along Indian Head Hwy.
(8th Extension) and Public Discussion
- VIII. Report of Officers and Committees
 - I. Town Treasurer Report
 - II. Public Works Director Report
 - III. Circuit Rider
 - IV. Code Enforcement, Ombudsman and Police Chief Report
 - V. Town Administrator Report
 - VI. Council Report (Ward I; Ward II; Ward III)
 - VII. Mayor's Report
- IX. Public Period (limit 2 minutes)
- X. Legislation
- XI. New Business
- XII. Closed Session
- XIII. Adjournment

**Town of Forest Heights
Treasurer's Report
October 5, 2019**

- Updated -

	Bank Acct Balance <u>10/05/19</u>	Quickbook Balance <u>09/30/19</u>	Quickbook Balance <u>09/30/18</u>
TD Bank General Fund	348,924.98	104,301.43	228,743.44
TD Bank Rainy Day Fund	157,132.40	157,132.40	154,132.40
TD Bank Speed Camera	2,530,620.44	2,735,620.44	2,420,245.33
TD Bank Municipal Money Market	213,664.59	213,664.59	213,364.59
	<u>3,250,342.41</u>	<u>3,210,718.86</u>	<u>3,016,485.76</u>

General Fund Highlights:

1. Real Estate Tax distribution - \$76,014.89
2. GOCCP-SAPP Grant 1st Quarter payment - \$12,353.00
3. Income Tax distribution - \$7,676.30
4. Highway User Grant payment for June 2019 - \$4,860.77
5. Personal Property/Utility Tax payments received - \$25,152.40
- 6 Sale of Solar Energy - \$790.00

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

October 4, 2019

Town Appearance:

- Maintenance and up keep of the Community Park next to Henry's
- Daily Trash pickup on both sides of the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Big belly Trash Compactors

Town Infrastructure:

- **N. Huron Dr.**
 - In final contract negotiation with contractor Fort Myers
- Pavement Corp will place a seal coat on the parking lot because of the patch, which will take place in early Spring of 2020)
- **Sachem Drive – Hill:**
 - Met on 10/1/19 with SHA District 3 Engineer about Sachem Drive hill. SHA says that it is the responsibility of the town to repair the hill. TA ask for further documentation.
 - Faulkner Landscaping submitted a proposal of \$1,500.00 to clean behind silt fence.
- DPW is in the process of researching/obtaining a Roadside Tree Care Blanket Permit for the town from DNR- Forest Service to be able to cut, trim trees in the town's ROW

Street Rehabilitation:

- Ottawa Street; Senaca Drive; Fox Way:
 - Choice Concrete completed the milling, repaving and curb replacement 10/3/19
 - Walk-thru was done on 10/4/19
- **Rolph Dr.**
 - Stevens Maintenance has submitted a proposal of \$1,500 to service the five tree boxes on Rolph Dr. and train DPW for future service.

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Building Infrastructure:

606 Modoc: Cease work is in place

- Renewed POD for 606 to house donated furniture during construction (on going)
- Temporary safety fence around house at 606 Modoc La. (on going)
- Choice Concrete repaired Municipal steps. 12/20/19
- DPW is now receiving proposals from contractors to paint upper level of the town hall.
- DPW ordered new decorative gravel for "Green Parking" demonstration area.

Equipment Maintenance

- Need to replace Charging Station for electric cars. (looking into a possible grant to purchase the Charging Stations)
- Call placed for Mid Atlantic to check charging and power on GEM
- Small chain saw repaired
- Chevy Silverado had shift lever repaired

Other Areas:

- Answering Resident Communication (numerous)
- Making/receiving phone calls, follow ups and meetings with contractors and vendors
- Calls in to SHA to repair the lights on MD-210 from I-495 to Livingston Rd.
- Calls in to PWD&T to cut/trim trees on Livingston Rd from Comanche Dr to Shawnee Dr.
- Calls in to PWD&T to repair pothole on Livingston Rd at Shawnee Dr.
- DPW part time position for Crewman closes 10/5/19. Will start the interviewing process the week of the 7th of October.
- DPW installed new parking signs for front municipal parking lot
- Attended Public Works Assoc. Meeting 9/19/19
- Attending Rain Check Rebate Meeting on 10/18/19



Ongoing projects:

- Moving forward with the project management of the Tree Canopy Program (sponsored by Anacostia Watershed Society; led by Mr. Jim Foster). This grant pays for the planting of 25-200 trees in the town of Forest Heights. The program will pay for the purchase, planting and maintenance of the trees for three years. This program is used in conjunction with the Tree Canopy Program authored by the town of Forest Heights and falls within the purview of the Sustainable Communities Certification Program.
- Preparation of upcoming grants:
 - Stormwater Mitigation Grant: Mr. Linwood and myself met with Ms. Natalia Sanchez during the last week of September to discuss moving forward with the Stormwater Mitigation project.
 - The University of Maryland Environmental Finance Center along with MOST is spearheading this project. We are moving forward with the Forest Heights Stormwater action plan submitted by myself and Mr. Vaughn. Ninety percent of our time will be spent working on the grant offerings from Chesapeake Bay Trust, National Fish and Wildlife Foundation, Department of Natural Resources, Department of Housing and Community Development, and lastly Prince George's County CDBG program year 46.
- Moving forward with the project management of the Energy Efficient Communities Program (EECP) grant; PEPCO is providing energy efficiency incentive funding, technical expertise, outreach and education to local municipality and government customers. Forest Heights is looking to replacing 285 street lights with LED fixtures.
 - Talked to representatives from Maryland Smart Energy Committees (MSEC) and PEPCO representatives to discuss the costs associated with the installation of the first six lights (Town Hall parking lot (3 lights) and Arapahoe Drive (3 lights)).



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- Talk with representatives of MEA and PEPCO regarding the purchase, installation and cost of electric vehicle charging stations, this is an ongoing conversation.
 - Census Grant: Moving on with two more outreach programs, Hispanic Heritage Month and the Forest Heights Census kickoff.
 - Continuing to work with the Town Administrator and the Public Works Director to identify streets and infrastructure that require immediate repair for health and safety reasons (ongoing).
 - Working with Housing Options & Planning Enterprises, Inc. (HOPE) on the Forest Heights Neighborhood Home Improvement Program (ongoing).

Code Enforcement September 2019

Date	Payment Type	Amount
9/3/2019	Credit	\$250.00 -
9/4/2019	Credit	\$700.00 -
9/5/2019	Credit	\$250.00 -
9/5/2019	Credit	\$34.12 -
9/5/2019	Credit	\$160.65 -
9/6/2019	Check	\$75.00 -
9/6/2019	Credit	\$250.00 -
9/6/2019	Check	\$500.00 -
9/16/2019	Credit	\$30.00 -
9/16/2019	Credit	\$50.00 -
9/16/2019	Check	\$500.00 -
9/17/2019	Check	\$50.00 -
9/18/2019	court	\$600.00 Pending - court judgments
9/18/2019	Check	\$75.00 -
9/18/2019	Credit	\$250.00 -
9/19/2019	Credit	\$2,060.00 -
9/20/2019	Check	\$250.00 -
9/25/2019	Check	\$250.00 -

Total: \$5,735

TOWN OF FOREST HEIGHTS
AUTOMATED SPEED ENFORCEMENT OMBUDSMAN
September 2019
Ombudsman Report
Ronald B Govan

For the month of September, the Town of Forest Heights had

- 4 Cancel Citation
- 8 late fee requests
- 2 transfer of liability
- 4 late fee dismissal
- 8 flag release

FOREST HEIGHTS POLICE DEPARTMENT SEPTEMBER REPORT

CALLS FOR SERVICE

Incident Type	Total
911 DISCONNECT	43
ACCIDENT	9
ADDED INFORMATION	1
ALS COMBINED	2
ASSAULT COMBINED	1
ASSIST	4
ASSIST FIRE EMS	2
BREAK IN IN PROGRESS	1
CHECK WELFARE	2
CHECK WELFARE COMBINED	4
DEPT ACCIDENT PD	3
DEPT ACCIDENT PD COMBINED	3
DISORDERLY	22
DOMESTIC	2
FAMILY DISPUTE	4
FIGHT	1
FOUND	1
FRAUD	1
GUNSHOTS	1
HIGHWAY ACCIDENT COMBINED	1
HIT AND RUN	1
LOST PROPERTY	1
MISC POLICE INCIDENT	11
MISSING PERSON	4
NOISE COMPLAINT	2
OVERDOSE ALS COMBINED	1
PREMISE CHECK	50
PROPERTY ALARM COMMERCIAL	2
PROPERTY DAMAGE	1
RESIDENTIAL ALARM	5
ROBBERY COMBINED	1
SCHOOL ALARM	1
STOLEN VEH	3
SUBJECT STOP	10
SUSPICIOUS AUTO	5
SUSPICIOUS OCC AUTO	5
SUSPICIOUS PERSON	2
THEFT FROM AUTO	1
THEFT JO	1
THEFT REPORT	2
TRAFFIC COMPLAINT	10
TRAFFIC HAZARD	1
TRESPASSING COMPL	2
UNKNOWN TROUBLE	9
VANDALISM	2
VEHICLE ACCIDENT COMBINED	2
WARRANT SERVICE	1
Total Calls -->	244

Fortitude Honor Peacemaker Devoted

STATISTICAL REPORT

State Traffic Citations- 362

State Equipment Repair Orders-17

Parking Citations Issued-19

Arrest-8

Impounds-64

Reports-74

Citation Fees: \$4,745.00

Town Infrastructure Bond Projects

The first projects to utilize the Town's Infrastructure Bond funds have been recently completed. Portions of Ottawa Street, Seneca Drive and Fox Way have been repaved. The Ottawa Street project also included the installation of new curbs as well. The source of these funds is an Infrastructure Bond received from the Maryland Department of Housing & Community Development, Local Government Infrastructure Financing Program for \$1,000,000.00. Many cities and towns use such funding to finance large projects because these programs offer a cost-effective way to finance large public purpose projects like street construction, resurfacing and water and sewer projects.

An internal Committee at Town Hall conducts on-going meetings to consider the best options for spending the funds so we can get the biggest bang for our buck. The Town Council also has a representative on this Committee from the Public Works and Sanitation Advisory Council. The Committee is now in the process of considering what projects will be next for consideration.

If you have any questions about these projects, please contact Larry Vaughn, Public Works Director at 301-839-1030.

Management Staff Meets to Discuss Issues Related to Recent Annexation (Extensions 6 & 7)

On September 26th the Town of Forest Heights government management staff, along with Mayor Muhammad and Town Attorney Kevin Best, met to discuss and better prepare for issues and responsibilities associated with the recent annexation. The meeting agenda included such topics as, Town laws and ordinances that apply in the annexed areas, Police Department jurisdictional and motor vehicle issues within the corporate limits, jurisdiction and responsibility associated with the additional public schools within the town and, jurisdictional issues associated with federal, state and county land ownership, to name a few.

Below are a few facts related to the annexation that may interest you:

- The process began in 2016 when the town initially sought the annexation. Forest Heights won a recent decision in the Court of Appeals of Maryland in June of 2019 which finalized the annexation.

- In a 4-3 decision, the Court of Appeals of Maryland overturned a lower court decision and found the Town of Forest Heights didn't need consent from a portion of the property owners in a proposed annexation of land because the land was tax-exempt. The court also found the town's annexation plan didn't try to divest, duplicate or usurp the law enforcement jurisdiction of land owned by the Maryland-National Capital Park and Planning Commission, which brought the case.

-Forest Heights (and its Town Attorney) relied on *City of Salisbury v. Banker's Life*, a 1974 case that said municipalities aren't required to get the consent of the owners of tax-exempt properties for annexation. But the commission argued the state statute was not ambiguous and that municipalities need to get consent from tax-exempt owners.

-Approximately 737 additional acres have been added to the Town Corporate Limits due to this, the most recent, annexation. (extensions 6 & 7) This more than doubled the size of the town corporate limits.

-Properties/parcels added to corporate limits are NOT taxable properties and provide no direct revenue to the Town of Forest Heights or to the tax base.

-Property owners (properties) that were annexed into the Town of Forest Heights include: The Maryland National Capital Park and Planning Commission, Prince Georges' County, The Board of Education and The State Highway Administration.

-There is now a total of 4 schools that fall within the corporate limits of Forest Heights. They are, Forest Heights Elementary School, Flintstone Elementary School, John Hanson Montessori School and Oxon Hill High School.

-This annexation will help enhance the quality of life in the town by expanding land uses and amenities that fall within our corporate limits, as well as explore opportunities for economic and physical development.

-It also provides the town with a voice in the development process or improvement of corporate lands contained within the annexed properties.

-The annexation is a precedent setting legal opinion for the State of Maryland which can be used by other municipalities seeking similar annexations. (The case is, *Town of Forest Heights v. The Maryland-National Capital Park and Planning Commission, et al.*, case number 21, in the Court of Appeals of Maryland.)

Town Council Work Session Report For 10.7.19 (Town Administrator)